
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

SMASH TECHNOLOGY, LLC, et al.,

Plaintiffs,

v.

SMASH SOLUTIONS, LLC, et al.,

Defendants.

ORDER

Case No. 2:19-cv-00105-TC-JCB

**District Judge Tena Campbell
Magistrate Judge Jared C. Bennett**

This case was referred to Magistrate Judge Paul M. Warner pursuant to 28 U.S.C. § 636(b)(1)(A).¹ Due to Judge Warner's retirement, this case is now referred to Magistrate Judge Jared C. Bennett.² Before the court is Plaintiffs Smash Technology, LLC and Michael Alexander's (together, "Smash Technology") Short Form Discovery Motion to Amend Scheduling Order.³ Under DUCivR 7-1(f), the court has concluded that oral argument is unnecessary and therefore decides the motion on the written memoranda. Having reviewed the parties' briefs and relevant law, the court grants the motion for the reasons set forth below.

Smash Technology has demonstrated good cause to extend the deadlines set forth in the operative scheduling order. Moreover, the court concludes such extensions will not prejudice the opposing party.⁴ Accordingly, the court grants Smash Technology's motion in part.

¹ ECF No. 68.

² ECF No. 89.

³ ECF No. 84.

⁴ The court regrets its own delay ruling on the parties' various discovery motions and entering this Order, which in turn also delayed the discovery process. The court pledges to be far more diligent in the handling of such matters to make sure this case comes to a speedy resolution.

Because the proposed dates have since passed, and in light of the court's recent rulings on certain discovery motions,⁵ the court declines to adopt the proposed scheduling deadlines and denies the motion in part.

The parties are directed to meet and confer to agree upon deadlines for the amended scheduling order. If they are able to agree, the parties should file a stipulated motion for entry of their proposed amended scheduling order within 14 days from the date of this Order. In the event the parties are unable to agree upon all deadlines, any party may file an appropriate motion with the court concerning scheduling. If such a motion is filed, the court will promptly set a scheduling hearing without an opposition memorandum needing to be filed. The court will then set a schedule at that hearing.

ORDER

For the foregoing reasons, IT IS HEREBY ORDERED that Smash Technology's Short Form Discovery Motion to Amend Scheduling Order⁶ is GRANTED IN PART and DENIED IN PART, as detailed above.

DATED this 13th day of July, 2020.

BY THE COURT:



JARED C. BENNETT
United States Magistrate Judge

⁵ ECF No. 90.

⁶ ECF No. 84.